



**Phillips Lytle LLP**

**Via CMECF**

Hon. John L. Sinatra, Jr.  
United States District Judge  
Robert H. Jackson United States Courthouse  
2 Niagara Square  
Buffalo, New York 14202-3350

March 31, 2023

Re: *Hardaway et al. v. Nigrelli et al.*; Case No. 1:22-cv-00771-JLS; Joint Status Report

Dear Judge Sinatra:

This joint status report is submitted on behalf of all parties per this Court's Text Order, issued January 30, 2023 (Dkt. 69). The parties wish to inform the Court that on March 20, 2023, the Second Circuit heard oral argument on the appeal of this Court's Decision and Order (Dkt. 52), in tandem with oral argument on the appeals of the preliminary injunction rulings in three other cases (*Christian v. Nigrelli*, Case No. 1:22-cv-00695-JLS (W.D.N.Y.); *Antonyuk v. Nigrelli*, Case No. 1:22-cv-00986-GTS (N.D.N.Y.) and *Gazzola v. Hochul*, Case No. 1:22-cv-01134-BKS (N.D.N.Y.)). Should the Court have any questions, counsel for the parties are available for a conference.

Respectfully submitted,

Phillips Lytle LLP

By

Nicolas J. Rotsko

cc: Counsel of record (via CMECF)

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